

REMARKS

Reconsideration of the above referenced application in view of the enclosed amendments and remarks is requested. Claims 1, 9, 17, 24 and 25 have been amended. Claims 18 and 20 have been cancelled. Claims 1-17, 19, and 21-25 remain in the application.

ARGUMENT

Claims 1-19 and 20-25 are rejected under 35 USC §103(a) as being unpatentable over Ludwig et al., Patent Application Publication US 2001/0021928 A1 (hereinafter Ludwig) in view of Crawford et al., US Patent 6,502,113 (hereinafter Crawford).

Embodiments of the present invention provide a mechanism for binding public keys of legal entities (e.g., people, companies, etc.) with shared sub-processes of business processes, thereby tying process decisions to public keys which are in turn tied to (non-electronic) business contracts. Thus, embodiments of the present invention support shared processes without the use of trusted third parties (like certificate authorities or other trusted third parties) and help to deter potential for fraud in such processes.

Embodiments of the present invention also describe a method and apparatus for managing the lifecycle of an electronic contract. The invention defines a process for creating and modifying a shared business process. It identifies parties as participants wherein each party is a shared contributor or agent, with no dominant authority or hierarchy among the parties. The invention creates an environment where each party may cross-check each other during operations of the shared process. The electronic contract associates roles with process elements, thereby mapping items in a template within the electronic contract to actual resources of the parties for performing operations of the shared process.

Independent claims 1, 9, 17, 24 and 25, as currently amended, all now recite the limitation of having no dominant authority and no hierarchical relationship between the parties.

The Office action cites Ludwig and Crawford as prior art.

Ludwig discloses a transaction authorization method for inter-enterprise role-based authorizations. In Ludwig, electronic authorization of a transaction is accomplished by verifying whether a role certificate associated with the authorization is authentic. Ludwig's method eliminates the need of having to authorize each transaction individually by providing an authorization structure based on roles. In marked contrast to the present invention, Ludwig teaches that there is a hierarchy of roles. This implies that there is a dominant authority at the root of the hierarchy tree. In Ludwig, the authorization tree used for inter-enterprise authorizations encompasses a hierarchical relationship between the parties. See Ludwig, paragraphs 111 (Transaction Authority and Role Authority), and also paragraphs 114-119, 59-63 and 82-85. Thus, Ludwig teaches away from the limitation added herein to the independent claims.

Crawford discloses a method of managing negotiations between parties, whereby a computer system (e.g., web site) keeps track of revisions to a contract document made by the parties. Crawford tracks revisions in the document so that clauses that have been modified by the parties during negotiations may be easily visible.

Crawford does not teach or suggest that no dominant authority and no hierarchy between the parties exists as described in the present specification and as recited in the present claims. Crawford uses an Internet web site to coordinate and monitor negotiations and resulting changes to the contract as a dominant authority. Thus, Crawford teaches away from the independent claims currently presented. Further, Crawford's web site that performs this coordination is effectively a trusted third party which the parties to the contract rely on, which teaches away from dependent claim 19.

Since neither Ludwig nor Crawford, either alone or in any combination, teach or suggest the claim limitation of no dominant authority and no hierarchy of parties

existing in the system as recited in independent claims 1, 9, 17, 24, and 25, therefore these claims are allowable. Since these independent claims are allowable, all claims dependent therefrom are also allowable.

CONCLUSION

In view of the foregoing, Claims 1-17, 19, and 21-25 are all in condition for allowance. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (503) 264-8074. Early issuance of Notice of Allowance is respectfully requested.

Respectfully submitted,

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